

CHAPTER 1245

S.B. No. 1700

AN ACT

relating to the administration of the weather modification and control grant program.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 20.001, Agriculture Code, as added by Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 20.001. FINDINGS. The legislature finds that weather modification and control activities may have a significant impact on Texas agriculture. The legislature further finds that the *Texas Department of Licensing and Regulation* [Agriculture] is the proper state agency to administer grants to political subdivisions for weather modification and control activities.

SECTION 2. Section 20.002, Agriculture Code, as added by Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 20.002. DEFINITIONS [DEFINITION]. In this chapter:

(1) "Department" means the *Texas Department of Licensing and Regulation*.

(2) "Weather[~~—weather~~] modification and control" means changing or controlling, or attempting to change or control, by artificial methods the natural development of atmospheric cloud forms or precipitation forms that occur in the troposphere.

SECTION 3. On the effective date of this Act, in accordance with the General Appropriations Act enacted by the 78th Legislature:

(1) all powers, duties, obligations, rights, and contracts of the Department of Agriculture associated with the weather modification and control grant program are transferred to the Texas Department of Licensing and Regulation;

(2) all authority to fill full-time equivalent positions to administer the weather modification and control grant program and all unspent and unobligated appropriations to and other money held by the Department of Agriculture in connection with the program are transferred to the Texas Department of Licensing and Regulation; and

(3) all files, records, equipment, and other property of the Department of Agriculture that are used by that agency in connection with the administration of the weather modification and control grant program become the property of the Texas Department of Licensing and Regulation, but remain in the same location unless moved in accordance with the memorandum of understanding adopted under Section 4 of this Act.

SECTION 4. The Department of Agriculture and the Texas Department of Licensing and Regulation shall adopt a memorandum of understanding not later than the 30th day after the effective date of this Act that provides for the transfer, by that date, of any files, records, equipment, property, and personnel necessary to accomplish the transfer of the weather modification and control grant program from the Department of Agriculture to the Texas Department of Licensing and Regulation.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

Passed the Senate on May 6, 2003, by a viva-voce vote; passed the House on May 28, 2003: Yeas 144, Nays 0, two present not voting.

Approved June 20, 2003.

Effective September 1, 2003.